



UNITED STATES DEPARTMENT OF COMMERCE
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CA

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/147,443 01/21/99 MORELL

A P63221US0

JACOBSON PRICE HOLMAN & STERN
400 SEVENTH STREET NW
WASHINGTON DC 20004

HM12/0522

EXAMINER

DECLLOUX, A

ART UNIT

PAPER NUMBER

1644

22

DATE MAILED: 05/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/147,443

Applicant(s)

Morell

Examiner

DeCloux, Amy

Art Unit

1644



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claims 1-21 are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____



A DOCPHOENIX

APPL PARTS

| | |
|-----------------------|-------|
| IMIS | _____ |
| Internal Misc. Paper | _____ |
| LET. | _____ |
| Misc. Incoming Letter | _____ |

371P
PCT Papers in a 371 Application

A...
Amendment Including Elections

ABST
Abstract

ADS
Application Data Sheet

AF/D
Affidavit or Exhibit Received

APPENDIX
Appendix

ARTIFACT
Artifact

BIB
Bib Data Sheet

CLM
Claim

COMPUTER
Computer Program Listing

CRFL
All CRF Papers for Backfile

DIST
Terminal Disclaimer Filed

DRW
Drawings

FOR
Foreign Reference

FRPR
Foreign Priority Papers

IDS
IDS Including 1449

NPL
Non-Patent Literature

OATH
Oath or Declaration

PET.
Petition

RETMAL
Mail Returned by USPS

SEQLIST
Sequence Listing

SPEC
Specification

SPEC NO
Specification Not in English

TRNA
Transmittal New Application

CTNF
Count Non-Final

CTRS
Count Restriction

EXIN
Examiner Interview

M903
DO/EO Acceptance

M905
DO/EO Missing Requirement

NFDR
Formal Drawing Required

NOA
Notice of Allowance

PETDEC
Petition Decision

OUTGOING

| | |
|---------------------|-------|
| CTMS | _____ |
| Misc. Office Action | _____ |

1449
Signed 1449

892

ABN
Abandonment

APDEC
Board of Appeals Decision

APEA
Examiner Answer

CTAV
Count Advisory Action

CTEQ
Count Ex parte Quayle

CTFR
Count Final Rejection

INCOMING

AP.B
Appeal Brief

C.AD
Change of Address

N/AP
Notice of Appeal

PA..
Change in Power of Attorney

REM
Applicant Remarks in Amendment

XT/
Extension of Time filed separate

File Wrapper

FWCLM
File Wrapper Claim

IIFW
File Wrapper Issue Information

SRFW
File Wrapper Search Info

Internal

SRNT
Examiner Search Notes

CLMPTO
PTO Prepared Complete Claim Set

ECBOX
Evidence Copy Box Identification

WCLM
Claim Worksheet

WFEE
Fee Worksheet

Notice of References CitedApplicant/Patent
MorellApplication/Control No.
09/147,443Examiner
DeCloux, AmyArt Unit
1644

Page 1 of 1

U.S. PATENT DOCUMENTS

| | Document Number Country Code-Number-Kind Code | Date MM-YYYY ¹ | Name | Classification ² |
|---|--|------------------------------|------|-----------------------------|
| A | | | | |
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FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

| | Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages |
|---|--|
| U | Seigel (Annals N.Y. Acad. Sciences, (1995) 764:547-558) |
| V | |
| W | |
| X | |

^{*} A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).¹ Dates in MM-YYYY format are publication dates.² Classifications may be U.S. or foreign.